

**STATE BOARD ADVISORY PANEL
FOR SPECIAL EDUCATION**

The Arizona State Advisory Panel for Special Education held a meeting at Arizona Department of Education, 1535 W. Jefferson, Room 417, Phoenix, AZ on March 19, 2002, from 9:00 a.m. to 3:00 p.m.

Members Present

J'Anne Ellsworth
Ida Fitch
Linda Gasten
Valerie Huber
Linda Irvin
Barbara Kilian, Co-chair
Kathleen McCoy, Vice-chairperson
Bill Rabe
Terisa Rademacher, Co-chair
Mary Schabarum
Sue Tillis
Susan Vanatta
Penny Webb

Others Present

Lynn Busenbark, ADE/ESS
Steve Mishlove, ADE/ESS
Jeannette Zemeida, ADE/ESS
Randy Lazar, ADE/ESS

Members Absent

Caroline Alcaida
Michael Bashaw
Ron Cleveland
Dennis deNomme
Dan Murrell
Marta Urbina
June Wood

Minutes Approved (As Read)(As Amended)

Chairperson: _____

Signature

Date

Topic	Discussion	Outcome
1. Call to order.	Barbara Kilian, Co-Chairperson, called the meeting to order at 9:10 a.m.	1. None.
2. Approval of January 15, 2002 minutes.	Teri Rademacher made a motion and seconded by Bill Rabe to approve the January 15, 2002, minutes.	2. Motion carried.
3. Public comment.	Teri Rademacher welcomed the public in attendance. She explained to those present the procedures for making a comment. Anyone wishing to comment on an agenda item was asked to fill out a brief questionnaire stating which agenda item they wished to comment on. That person would then be called on when that item was discussed.	3. None
4. Reauthorization of IDEA/ Continuous Monitoring	<p>John Copenhaver, the Director from the Mountain Plains Regional Resource Center (MPRRC), in Utah informed the SEAP members about the reauthorization process for IDEA. Mr. Copenhaver outlined how the reauthorization process works and went over the materials that he provided to the Panel.</p> <p>Some of the emerging issues for reauthorization are early literacy; early intervention without identification so there is not a “wait to fail” issue; increased use of alternate dispute resolution strategies, and paperwork reduction.</p> <p>Mr. Copenhaver answered questions from the Panel regarding Reauthorization and then moved on to a refresher on the OSEP monitoring process.</p> <p>There are five phases of continuous improvement monitoring: 1) Planning for self-assessment; 2) conduct self-assessment; 3) self-assessment submission; 4) improvement planning; and 5) verification and consequences. At the end of phase 5, phase 1 begins again. Arizona is currently revising its self-assessment.</p> <p>Mr. Copenhaver went over some of the changes that have taken place regarding monitoring since 1998.</p> <ul style="list-style-type: none"> • OSEP now gets more data from the state in addition to the data it collects on its own. This gives a better picture of the state’s compliance in monitoring. John thinks that eventually states will continue to receive visits from OSEP but only over certain issues. • After improvement planning there used to be an automatic visit to the state’s steering committee. Now OSEP will review the improvement plan and then decide its level of involvement after the improvement plan process. • Prior to 1998 a state that was monitored might not get its findings until a year later. This would be when the state could start on its improvement plan. OSEP now encourages the state to begin on its self-assessed improvement plan immediately, instead of waiting for OSEP to review the state’s self-assessment. 	4. None

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	<p>A steering committee will be formed to look at OSEP monitoring issues regarding state improvement. Lynn Busenbark stated that SEAP would be used as the steering committee since it is already “up-to-speed” on the issues.</p> <p>Mr. Copenhagen suggested that OSEP be kept in the loop during the improvement process so that they know what is going on a regular basis.</p> <p>Mr. Copenhagen answered questions from the Panel regarding the continuous monitoring process.</p>	
5. Proposed Changes to Certification Rules	<p>The SEAP Panel reviewed the recommended changes on the Certification rules to be submitted to Joan McDonald and Dr. Charles Wiley.</p> <p>Each of the bulleted points was discussed to determine the rationale behind the suggestions. After some discussion the third item, beginning “Psychological criteria needs to be identified. ...” was removed from the list of recommendations.</p> <p>Much of the beginning discussion revolved around current requirements for regular and special education teachers. SEAP did not know what the requirements are. Lynn Busenbark, during the course of the discussion, was able to obtain the requirements from the Certification Unit so that SEAP was able to refer to them during the remainder of the discussion.</p> <p>The concern was expressed from several members that inappropriate, untrained teachers are put into the classroom due to lack of qualified teachers.</p> <p>Randy Lazar, Arizona Department of Education, addressed the Panel as a member of the public regarding Emergency Certification. In the State Board rule regarding emergency certification there is a clause that states that the individual must take 6 credit hours of coursework to extend their one-year certificate. He suggested that SEAP recommend that that individual would have to have a mentor teacher from the school district work with them during the year.</p> <p>Issues that were addressed and considered as additions to the recommendations:</p> <ul style="list-style-type: none">RecruitmentMaster (or mentor) teacher assigned to individuals with Emergency CertificatesSet timeline on acquiring the 6 credit hours needed to obtain another Emergency CertificatePropose extending Emergency Certificate to two years so that individuals will get their six credit hours of coursework in – give district opportunity to nurture those individuals who excel in teaching	5. None.

Topic	Discussion	Outcome
	<p>Establish system to track Emergency Certificates in order to identify individuals who move from district to district to avoid completing required coursework; establish tighter controls to track whether or not the individual has completed their six credit hours</p> <p>Steve Mishlove informed the Panel that emergency certified teachers could attend SELECT classes in an effort to satisfy their six-credit requirement.</p> <p>Kathleen McCoy, J'Anne Ellsworth and Sue Tillis volunteered to serve as a subcommittee to create the document of proposed changes. Teri asked the Panel to send all suggestions to members of this subcommittee.</p>	
6. Dispute Resolution/Due Process Proposal	<p>Randy Lazar, Dispute Resolution Supervisor for ESS, provided the SEAP members with a handout regarding due process statistics over the last three school years. It contained information on how many requests have been filed and showed how many of those complaints have gone through hearings or have been withdrawn.</p> <p>Randy answered questions from the Panel regarding due process and dispute resolution.</p> <p>Some questions asked:</p> <p>Have any of the cases gone to federal court? Why is Arizona so interested in moving to the one-tier system?</p> <ul style="list-style-type: none">• Due process work group explored options and came to the conclusion that Arizona should move to the 1-tier system for the sake of efficiency – smaller cadre of people handling hearings• It would eliminate a second review of case at the administrative level. <p>Teri Rademacher reminded the Panel that one of the issues of going to the one-tier system was continuing to use the panel of hearing officers that are currently used or going to administrative law judges (ALJs). Teri was a part of the due process work group and informed the Panel that her impression was that the hearing officers on the group were in favor of moving to a one-tier system but possibly maintaining the hearing officers versus using ALJs.</p> <p>Randy went over possible cost savings by going to a one-tier system. The school district would still have transcription costs (of a court reporter recording the hearing) but would be able to eliminate the cost of paying an ALJ.</p> <p>Linda Gasten expressed her concerns about the one-tier system from a parent's point of view. She talked about the intimidation factor among parents attending a hearing as well as the cost of hiring a lawyer. She felt that the school district might gain an advantage over the parent by having a one-tier system.</p>	6. None

Topic	Discussion	Outcome
	<p>Randy suggested that a survey be sent out to parents who have been through a due process hearing to discover their views on the process. He felt that perhaps this would assist SEAP in viewing the process through the experiences of those individuals who have actually been through the process. A discussion was held concerning who should be included in the survey and some possible outcomes of the survey.</p> <p>Randy answered more questions from the Panel regarding the current due process system.</p> <p>It was determined that Exceptional Student Services is asking SEAP to endorse the one-tier system so that the proposal could then be taken to the State Board of Education for its review, since changing to the one-tier system would require making changes to the current state board rule regarding due process.</p> <p>SEAP requested that someone from the Office of Administrative Hearings (OAH) attend the May meeting to give SEAP more information in order to assist them in making a decision.</p>	
7. Reopening State Regulations	<p>Lynn Busenbark, Director of Program Support, Exceptional Student Services, Arizona Department of Education, informed the Panel that the proposed changes to the State Board Certification Rules would be posted on the ESS website.</p> <p>Discussion was held regarding current suggestions listed on the materials provided to the Panel by Lynn. Some members had new changes to add to the current list.</p> <p>There was a lengthy discussion regarding school days versus calendar days. No suggested changes were made at this time.</p> <p>It was decided to recommend changing R7-2-401.E.5.i to include optometrists so that the rule would state: "Visual Impairment: verification of a visual impairment by an ophthalmologist OR an optometrist."</p> <p>At 1:50 pm SEAP lost its quorum of members.</p>	7. None
8. Assessment	<p>Teri Rademacher expressed her concern about finding out from a high school teacher at her son's school that the high school students taking out-of-level AIMS-A tests would not be taking their tests at the same time as their peers. Instead, they will be taking it at the same time as the elementary school students.</p> <p>Sue Tillis explained that it was a test security issue. The company responsible for tests is the one that established the rule. It is not a school district or Dept. of Education rule. Teri stated that the explanation that was given by Paul Young, ADE was that the out-of-level tests were not printed yet; so consequently, were not available until after the High School testing dates. Lynn Busenbark will check to see if there is</p>	8. None.

Topic	Discussion	Outcome
	anything that we can do to make these tests available during the High School testing timelines for next school year.	
9. Autism Conference	<p>Linda Gasten, who had recently attended two Autism Conferences sponsored by the Dept. of Education, gave a report on the conferences.</p> <p>Linda complimented Miriam Podrazik, CSPD Coordinator, Exceptional Student Services and her staff for their work on the conferences. Linda felt that both conferences were wonderful. She was disappointed at the parent turnout however.</p> <p>Linda spoke to one of the conference presenters, Kathy Pratt from the Indiana Resource Center for Autism. Linda shared some of the programs dealing with autism that are happening in Indiana – needs assessment survey every two years; teams of people from several districts (include parents, teachers, etc.) are gathered together for intense autism training.</p> <p>Lynn asked Linda to contact Kathy to obtain a copy of the survey that Indiana sends to the school districts.</p>	9. None
10. Exceptional Student Services Report	<p>ESS has hired three new managers: Cyndi Bolewski in the Tucson office, Bobbie Orlando in the Phoenix office and Kathryn Huizenga in the Flagstaff office. They began their positions on March 18. ESS will be hiring new individuals to replace the positions vacated by the new managers.</p> <p>ESS has almost finished writing the State Improvement Grant. The three goals are: Personnel; Charter Schools (expanding mentorship); and Reading Initiative. ESS is proposing that three reading specialists be hired, one for each region of the state.</p> <p>Monitoring is going well. There have been four districts that have gotten a clean monitoring. A clean monitoring means that a school district is in compliance in four of the five areas evaluated. These four districts are now eligible for a reward of a noncompetitive capacity building grant.</p> <p>ESS is currently working on the biannual report that is due to the federal government. There is some overrepresentation of certain ethnic groups in some areas of disabilities. ESS will need to include this in the report and give an explanation of how Arizona will address the issue.</p> <p>Within the Complaint Investigation Unit the early resolution success rate is at 50-60 percent.</p> <p>A TBI Coordinator has been hired. Her name is Valerie Luks.</p> <p>A new AzTAZ document is being created. It will include areas in discipline, counseling, child identification and surrogate parents.</p>	10. None

Topic	Discussion	Outcome
	<p>The Transition Evaluation Training will be held March 25-27. Participation is by invitation only. Participants will be creating sample IEPs.</p> <p>The Talk w/ADE group is being expanded. The group consists of Special Education directors throughout the state. The group's purpose is to discuss special education issues in the state that concern them. Sue Tillis has been invited to join the group.</p> <p>There have been changes made to data collection. Some of the changes include: data will be reported by school; there will be instructions and a glossary for reports; and personnel data will be collected differently. A memorandum, with the changes outlined, will be sent out to the districts during the week of March 18th.</p> <p>Lynn asked that, before the next meeting, SEAP read the Appendix A.1 document that she provided during the meeting so that they could discuss it at the May meeting.</p>	
11. OSEP Conference	<p>The OSEP Conference scheduled for April 7-10, 2002, has been rescheduled for July 15-17, 2002. Barbara Kilian asked that this be put on the agenda because she was not going to be able to attend the conference on the original dates. She will be able to attend the rescheduled conference in July however, so an alternate was not selected.</p>	11. None.
12. Transition	<p>Teri Rademacher read a report by Bill Rabe regarding the ESS/RSA IGA Transition Workgroup.</p> <p>The first meeting was held on February 13. The participants set goals and will be expanding the group to include a mental health provider and an individual from Corrections.</p> <p>If anyone has any concerns or issues for the group e-mail them to Bill.</p> <p>Steve Mishlove went over history of the creation of the workgroup. He mentioned the different agencies that make up the membership and said that students will also be added to the workgroup.</p>	
13. SEAP	<p>Teri Rademacher reminded the Panel that there are six members whose terms will expire July 1, 2002. She asked those individuals who were planning to reapply to get their applications in to the State Board of Education office quickly so the Board could determine how many openings would be available. Two current parent positions will be vacated.</p> <p>SEAP would like the new positions to be appointed in time for the new members to attend the July meeting. They decided to request that the State Board put the new member appointments on their agenda for May.</p>	

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	It was determined by the Panel that standing agenda items will continue to be listed on the agenda but will be marked as "Standing Agenda Item" with a notation of "No report planned for this item", if a SEAP member has not requested information listed under that item. However, Teri Rademacher is going to contact the Attorney General's office to determine if this is the correct procedure.	
14. Statewide LD Criteria	No report for this item.	14. None.
15. Classification of Child with a Disability through Age 9	No report for this item.	15. None
16. Parent Involvement in SEAP	No report for this item.	16. None
17. Next meeting and agenda items.	<p>The following items were proposed for the agenda for the May 21, 2002 meeting in Casa Grande.</p> <ul style="list-style-type: none"> ◆ Elections ◆ Meeting Schedule for 2002-2003 ◆ Annual Report ◆ Personnel Shortage Issues – Miriam Podrazik ◆ Due Process ◆ Review Self-Assessment ◆ Reopening state regulations ◆ <i>Assessment</i> ◆ <i>OSEP Monitoring Report</i> ◆ <i>Statewide LD criteria</i> ◆ <i>Classification of a Child with a Disability through age 9</i> ◆ <i>Parent Involvement</i> ◆ <i>Transition</i> 	15. None.
18. Adjournment	Seeing no further business, Teri Rademacher adjourned the meeting at 3:07 p.m.	16. Adjournment.